

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

TAREK HELOU (CABN 218225)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
Tarek.J.Helou@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CR No. 11-MJ-70677-MAG
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER FED. R. CRIM.
v.)	P. 5.1 & 18 U.S.C. § 3161 AND CONTINUING
)	STATUS CONFERENCE
CRISTINA DELORES PATINO,)	
)	CURRENT DATE: October 20, 2011
)	CURRENT TIME: 9:30 a.m.
Defendant.)	
)	PROPOSED DATE: November 3, 2011
)	PROPOSED TIME: 9:30 a.m.

On June 16, 2011, the defendant was arrested based on a warrant issued upon a Criminal Complaint pending in the Eastern District of Virginia. That case is pending in the Eastern District of Virginia, case number 11-MJ-455. The defendant is out of custody.

The parties anticipate that they will consent to the disposition of the case in the Northern District of California, where the defendant was arrested and is on bond and pretrial supervision. The parties also anticipate that the defendant will consent to proceed by information instead of indictment and waive trial in the Northern District of California. The parties are diligently preparing the necessary paperwork, which has taken some time.

Therefore, the parties stipulate and jointly request that, pursuant to Federal Rule of Criminal Procedure ("FRCP") 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from October 20, 2011 through November 3, 2011. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension. The parties also request that time be excluded under the Speedy Trial Act from October 7, 2011 through October 20, 2011 because the defendant needs additional time to review discovery and to conduct necessary investigation. The parties also request that the Court continue the status conference scheduled for October 20, 2011 at 9:30 a.m. to November 3, 2011 at 9:30 a.m.

STIPULATED:

MELINDA HAAG
United States Attorney

DATED: October 19, 2011

/s/
TAREK HELOU
Assistant United States Attorney

DATED: October 19, 2011

/s/
ELLEN LEONIDA
Attorney for Defendant Cristina Delores Patino

For the reasons stated above, the Court finds that exclusion of time from October 20, 2011 through November 3, 2011 is warranted and that the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. §3161 (h)(7)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny
3 the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18
4 U.S.C. §3161(h)(7)(B)(iv).

5 The Court also vacates the current status conference, set for October 20, 2011 at 9:30
6 a.m. and sets a new status conference on November 3, 2011 at 9:30 a.m.

7
8 SO ORDERED.

9
10 DATED: October 19, 2011



LAUREL BEELER
United States Magistrate Judge